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To: USPTO **From:** S Sheldon
COMPANY: MS: AMENDMENT **DATE:** 3/6/06
FAX NUMBER: 571-273-8300 **TOTAL NO. OF PAGES:** 28 32
YOUR REFERENCE NO.: 011738.00149 **OUR REFERENCE (C/M) NO.:**
RE:

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COMMENTS:

*Response to Notice of
Non-Compliant Amendment*

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 United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,344	10/15/2003	Ivan Osorio	011738.00140	7817
22908	7590	02/24/2006	EXAMINER	
BANNER & WITCOFF, LTD.				ASTORINO, MICHAEL C
TEN SOUTH WACKER DRIVE				
SUITE 3000				
CHICAGO, IL 60606				
ART UNIT				PAPER NUMBER
3736				

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

11738.00149 ¹⁰
DOCKETED
 Not. of Non-Compliance
 MAR 01 2006 REC'D.
 Rcv'd Due: 3/26/06
 REC'D.
 BANNER & WITCOFF
 DUCHELINE LIPSET

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No.	Applicant(s)	
	10/687,344	OSORIO ET AL.	Art Unit
	Examiner	Michael C. Astorino	
		3736	



Michael C. Astorino
571-272-4723

Continuation Sheet (PTOL-324)

Application No.

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 09 November 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

1. Amendments to the specification:

- A. Amended paragraph(s) do not include markings.
- B. New paragraph(s) should not be underlined.
- C. Other _____.

2. Abstract:

- A. Not presented on a separate sheet. 37 CFR 1.72.
- B. Other _____.

3. Amendments to the drawings:

- A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
- B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
- C. Other _____.

4. Amendments to the claims:

- A. A complete listing of all of the claims is not present.
- B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
- C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Cancelled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
- D. The claims of this amendment paper have not been presented in ascending numerical order.
- E. Other: _____.

5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

The response was submitted by fax. The faxed document received including the claims and response was of poor quality. Specifically, certain characters were missing from the documents. The applicant should re-file the response by mail or from a fax machine that will transmit the document properly.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **correction**, if the non-compliant amendment is **one of the following**: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

U.S. Patent and Trademark Office
PTOL-324 (01-06)

Part of Paper No. 0610

Notice of Non-Compliant Amendment (37 CFR 1.121)

USPTO 12/5/2005 5:51 PM PAGE 1/001 Fax Server
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TO: Fax Sender at 13124635001
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12/05/2005 18:08 FAX 13124635001 BANNER & WITCOFF 005/032

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TO:	From:
U.S. Patent And Trademark Office	David J. Petal
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Mail Stop AMENDMENT	December 5, 2005
FAX NO.:	TOTAL NO. OF PAGES: (including cover sheet)
671-273-6300	27
YOUR REFERENCE NO.:	OUR REFERENCE (CN) NO.:
	011738.00148
RE:	Filing Of Response/Amendment and 1 month extension of time for U.S. Serial No. 10/4557344 Appellants Of Oscar, et al. Filed October 15, 2003 Title: Screening Techniques For Management Of A Nervous System Disorder
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Kathy Keeling	312-463-6505
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PAGE 127 * RCVD AT 12/06/2005 17:02 PM Eastern Standard Time * SVR:USPTO-EFXRF-2/2 * DNIS:2738300 * CSID:13124635001 * DURATION (mm:ss):10-16

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/687,344
Filing Date	October 15, 2003
First Named Inventor	Osorio, et al.
Art Unit	3738
Examiner Name	Michael C. Astorino
Attorney Docket Number	011738.00149

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ENCLOSURES (check all that apply)

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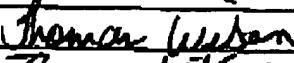
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Banner & Witcoff, LTD.		
Signature			
Printed Name	Binal J. Patel		
Date	December 5, 2005	Reg. No.	42,065

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Typed or printed name	Thomas Wilson
Date	December 5, 2005

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TRANSMITTAL FORM

Application Number	10/687,344
Filing Date	October 15, 2003
First Named Inventor	Osorio, et al.
Art Unit	3736
Examiner Name	Michael C. Astorino
Attorney Docket Number	011738.00149

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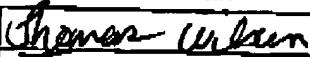
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YOUR REFERENCE NO.: _____ **OUR REFERENCE (C/M) NO.:** _____
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RE: **Filing Of Response/Amendment and 1 month extension of time For U.S. Serial No. 10/687,344
Application Of Osorio, et al.
Filed October 15, 2003
Title: Screening Techniques For Management Of A Nervous System Disorder**

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